

JOSEPH A. CREITZ (SBN: 169552)  
The Law Office of Joseph A. Creitz, P.C.  
22 Battery Street, Suite 1000  
San Francisco, CA 94111  
Telephone: (415) 269-3675  
Facsimile: (415) 513-4475

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

ESTATE OF VINCENT MCLAUGHLIN  
and RAQUEL MCLAUGHLIN-RAY

Plaintiffs,

vs.

TERRI OWEN, et al.

Defendants.

CASE NO. CV11-02287 EJD

**JOINT RESPONSE TO ORDER TO  
SHOW CAUSE (Dkt. Entry 54) and  
~~proposed~~ ORDER**

**[Standing Order I.B.]**

Prelim. Pretrial Conf. Date: **August 17,  
2012**

On August 8, 2012, this Court issued an ORDER TO SHOW CAUSE RE:  
SETTLEMENT (Dkt. Entry 54), requiring the parties to file a joint statement or a  
stipulated dismissal no later than September 7, 2012, and otherwise to appear before  
the court at 9:00 a.m. on September 14, 2012, to show cause why the case should not  
be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

Because of the large number of attorneys and parties involved, and various  
unavailabilities of counsel during the four weeks since the Court issued its Order to

1 Show Cause, the parties have not yet executed the settlement agreement. Therefore,  
2 the Court should not yet dismiss the case.

3  
4 However, as of the date of filing hereof, all counsel have finalized the terms  
5 of the written settlement agreement. It is expected that the agreement can be  
6 circulated to the parties for final execution immediately.

7  
8 Therefore, the undersigned jointly request that the Court continue the dates  
9 set in its prior Order to Show Cause by 21 days in order that the parties and their  
10 counsel can execute the finalized settlement agreement and thereafter prepare and  
11 submit a stipulated dismissal.

12 Dated: September 7, 2012

THE LAW OFFICE OF JOSEPH A. CREITZ,  
P.C.

14  
15 /s/ Joseph A. Creitz

Joseph A. Creitz  
Attorneys for Plaintiffs

16  
17  
18 Dated: September 7, 2012

LAW OFFICE MICHAEL MARQUEZ

19  
20 /s/ Michael Marquez

Michael Marquez  
Attorneys for Plaintiffs

21  
22  
23 Dated: September 7, 2012

GORDON & REES LLP

24  
25 /s/ Jordan Altura

Jordan S. Altura  
Attorneys for Defendant  
Aetna Life Insurance Company

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September 7, 2012 CASAS, RILEY, & SIMONIAN

/s/ Gregory C. Simonian  
Gregory C. Simonian  
Valerie S. Higgins  
Attorneys for Defendant  
Media News Group

Dated: September 7, 2012 LAW OFFICE OF SANDRA DEMENT

/s/ Sandra Dement  
Sandra Dement  
Attorneys for Defendant  
Terri Owen

~~proposed~~ ORDER

Upon the joint request of all parties, and good cause appearing, the September 14, 2012 hearing on the Order to Show Cause previously set by this court is **continued** by 21 days, to October 5, 2012, at 9:00 AM in Courtroom No. 4, 5<sup>th</sup> Floor United States District Court, 280 South First Street, San Jose, California, 95113. On or before September 28, 2012, the parties shall file another joint statement in response to the Court's Order to Show Cause (Dkt. Entry 54) setting forth the status of settlement efforts as well as the amount of additional time necessary to finalize and file a dismissal. The Order to Show Cause will be automatically vacated and the parties relieved of the obligation to file a joint statement if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before September 28, 2012.

IT IS SO ORDERED

Dated: September 11, 2012

  
United States District Judge